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June 15, 2018

Honorable H. Kenneth Schroeder, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, New York 14202-3350

*** E-Filed - CM/ECF Website**

Re: Engels vs. Harbor Freight Tools USA, Inc.
Civil Action No. : 1:18-cv-116
Our File No. : 8295

Dear Magistrate Judge Schroeder:

I am pleased to advise that Mr. Duquin, on behalf of the plaintiffs, and the undersigned, on behalf of the defendants, have now reached a confidential settlement of the above captioned matter. I did call today and advise your Law Clerk, Karen Richardson, of this settlement.

The parties are in the process of preparing, executing and exchanging settlement documents in order to effectuate this settlement. Unfortunately, the insurance carrier and primary insured that I am dealing with are both in China. As a result, we anticipate there will be a delay in the plaintiffs receiving the settlement funds pursuant to this settlement agreement. I am told that it will take approximately six to twelve weeks for payment to be received once the properly executed original documents are received by the carrier in China.

We kindly request that the Court diary this matter for 90 days. At that time, we will either report that settlement has been finalized and payment issued, or provide the Court with an updated status report.

Finally, in light of the above settlement, we will presume that the June 18, 2018 deadline for the parties to submit a proposed Case Management Order to the Court will be withdrawn, unless we are advised to the contrary.

If the Court requires anything further, please do not hesitate to contact the undersigned.

Respectfully submitted,

MARK P. DELLA POSTA

MDP/jmh

cc: Scott Michael Duquin, Esq.
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